

### REMARKS

Applicant gratefully acknowledges the Examiner's helpful comments provided to Applicant during a telephone interview on June 9, 2009. In the interview, the parties discussed the cited reference (e.g., Brown) and the claims (e.g., claims 19 and 29). In particular, the Examiner agreed that amending claims 19 and 29 to include the feature of claim 25 (e.g., "*wherein said second metal layer comprises a field concentrator, said self-assembled nanowire being formed on said field concentrator*") would place the Application in condition for allowance. Applicant notes that by this Amendment claims 19 and 29 have been amended to include the feature of claim 25. Therefore, Applicant submits that the Application is in condition for immediate allowance.

Entry of this Amendment is proper because it narrows the issues on appeal and does not require further searching by the Examiner.

Claims 2-6 and 19-24 and 26-29 are all the claims presently pending in the application. Claims 19 and 29 have been amended to more particularly define the invention. Claim 25 has been canceled.

While the claim amendments made herein may likely help to distinguish the invention over the prior art, Applicant's intention in making the amendments is for the purpose of particularly pointing out the invention, and not for the purpose of distinguishing the invention over the prior art, narrowing the claims, or for any statutory requirements of patentability. Further, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

In view of the foregoing, Applicant submits that claims 2-6 and 19-24 and 26-29, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Ser. No. 10/538,935  
Docket No. YOR920020105US1

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "P. E. Miller", is written over a horizontal line.

Phillip E. Miller  
Reg. No. 46,060

Date: June 9, 2009

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